

RECEIVED
CENTRAL FAX CENTER
NOV 28 2005

FAX TRANSMISSION

DATE: November 28, 2005

PTO IDENTIFIER: Application Number 10/825,799-Conf. #9097
Patent Number

Inventor: Teddy M Keller et al.

MESSAGE TO: US Patent and Trademark Office

FAX NUMBER: (571) 273-8300

FROM: US NAVAL RESEARCH LABORATORY
Joseph T. Grunkemeyer

PHONE: (202) 404-1556

Attorney Dkt. #: 84981US2

PAGES (Including Cover Sheet): 4

CONTENTS: Response to Non-Final Rejection (3 pages)

If your receipt of this transmission is in error, please notify this firm immediately by collect call to sender at (202) 404-1556 and send the original transmission to us by return mail at the address below.

This transmission is intended for the sole use of the individual and entity to whom it is addressed, and may contain information that is privileged, confidential and exempt from disclosure under applicable law. You are hereby notified that any dissemination, distribution or duplication of this transmission by someone other than the intended addressee or its designated agent is strictly prohibited.

US NAVAL RESEARCH LABORATORY
4555 Overlook Ave, SW, Washington, DC 20375
Telephone: (202) 767-3427 Facsimile: (202) 404-7380

PATENT APPLICATION
Docket No.: NC 84,981

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of: Keller et al.
Serial No.: 10/825,799
Filed: 04/14/2004
For: SYNTHESIS OF OLIGOMERIC CYANATE ESTERS
Examiner: Truong, Duc
Art Group Unit: 1711

RECEIVED
CENTRAL FAX CENTER
NOV 28 2005

Honorable Commissioner of Patents
PO Box 1450
Alexandria, VA 22313-1450

November 28, 2005

RESPONSE TO NON-FINAL REJECTION

Sir:

In response to the Office action of 09/01/2005, setting a three month shortened statutory period of reply, please consider the following remarks.

Claims 1-21 and 23-36 are pending in the application. Claims 1-20 and 27-36 have been withdrawn pursuant to a restriction/election of species requirements.

Claim Rejections – 35 U.S.C. § 102

Claims 21 and 23-25 have been rejected under 35 U.S.C § 102(b) as allegedly anticipated by JP-5-78446.

Claim 21 recites certain compounds having –OCN groups.

JP-5-78446 discloses compounds containing –NCO groups.

In order to make a *prima facie* case of anticipation, the reference must disclose each limitation of the claim. *Verdegaal Bros. v. Union Oil Co. of California*, 2 U.S.P.Q.2d 1051, 1053, 814 F.2d 628, 631 (Fed. Cir. 1987); MPEP 2131. Among other deficiencies, the reference

CERTIFICATE OF FACSIMILE TRANSMISSION

I certify that this correspondence is being facsimile transmitted to the US Patent and Trademark Office on the date shown below.

11/28/05
Date

Joseph T. Grunkemeyer
Joseph T. Grunkemeyer